

By Sapalino

SB. No. 240

A BILL TO BE ENTITLED

AN ACT

relating to required training courses and examinations for lay midwives.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 10, Chapter 365, Acts of the 68th Legislature, Regular Session, 1983 (Article 4512i, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 10. REQUIRED TRAINING COURSE. (a) A person may not practice as a lay midwife in this state unless the person holds a letter of completion issued by the department that evidences satisfactory completion of an approved lay midwifery training course and passage of the final examination of the training course.

(b) An approved lay midwifery training course may be offered by a local health department, an accredited postsecondary educational institution, or an adult education program. The entity offering the course may charge a reasonable fee for the course.

(c) [~~(b)~~] If the department determines that the number of approved courses offered in a region designated by the department is insufficient to satisfy the demand for training in the region, the department shall make a training course available on a temporary basis through its regional office. The department may charge a fee not to exceed \$50 for a training course it conducts. The department may waive a portion of the fee charged to an individual.

1 (d) [~~e~~] The training course shall be taught in Spanish if
2 that is the only language a participant of the course understands.
3 If other course participants do not understand Spanish, the
4 training course shall be taught in English and Spanish.

5 SECTION 2. Section 13(a), Chapter 365, Acts of the 68th
6 Legislature, Regular Session, 1983 (Article 4512i, Vernon's Texas
7 Civil Statutes), is amended to read as follows:

8 (a) In December of each year, a person who practices lay
9 midwifery shall identify himself as a lay midwife by appearing in
10 person before the county clerk of the county in which the person
11 resides or before the county clerk of each county in which the
12 person practices lay midwifery and delivering to the county clerk a
13 verified identification form that contains:

14 (1) the person's name, residence, and post office address;

15 (2) the person's date and place of birth;

16 (3) the location of the person's practice according to
17 counties; ~~and~~

18 (4) a copy of the letter of completion issued by the
19 department; and

20 (5) other information the department determines necessary
21 for the identification of lay midwives.

22 SECTION 3. Section 15(a), Chapter 365, Acts of the 68th
23 Legislature, Regular Session, 1983 (Article 4512i, Vernon's Texas
24 Civil Statutes), is amended to read as follows:

25 (a) The department shall maintain a roster of all persons
26 eligible [~~identified~~] to practice lay midwifery under this Act.

27 SECTION 4. Section 16(b), Chapter 365, Acts of the 68th

1 Legislature, Regular Session, 1983 (Article 4512i, Vernon's Texas
2 Civil Statutes), is amended to read as follows:

3 (b) The department with the advice of the lay midwifery
4 board shall prescribe the form of the written disclosure required
5 by this section, which shall include the information that a lay
6 midwife:

7 (1) may assist only in normal childbirth;

8 (2) has or does not have an arrangement with a local
9 physician for referring patients who have complications that occur
10 before or during childbirth;

11 (3) may not administer a prescription drug without a
12 physician's supervision, perform a Caesarean section, or perform an
13 episiotomy; and

14 (4) has [~~or-has-not~~] passed the lay midwife training course
15 final examination approved by the board.

16 SECTION 5. (a) This Act takes effect September 1, 1987.

17 (b) A person who is practicing as a lay midwife on the
18 effective date of this Act is not required to hold a letter of
19 completion issued by the Texas Department of Health to practice as
20 a lay midwife under this Act until January 1, 1988.

21 SECTION 6. The importance of this legislation and the
22 crowded condition of the calendars in both houses create an
23 emergency and an imperative public necessity that the
24 constitutional rule requiring bills to be read on three several
25 days in each house be suspended, and this rule is hereby suspended.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 13, 1987

TO: Honorable Chet Brooks, Chairman
Committee on Health and Human Services
Senate Chamber
Austin, Texas

In Re: Senate Bill No. 240
By: Sarpalius

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 240 (relating to required training courses and examinations for lay midwives) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would require the Department of Health to issue letters of completion to persons who satisfactorily complete an approved lay midwifery training course and examination before an individual can be a practicing lay midwife.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Administrative Cost Out of the General Revenue Fund</u>	<u>Probable Revenue Gain to the General Revenue Fund</u>	<u>Change in Number of State Employees from Fy 1987</u>
1988	\$38,516	\$11,500	+ 1.0
1989	19,200	8,500	+ 1.4
1990	19,200	8,500	+ 1.4
1991	19,200	8,500	+ 1.4
1992	19,200	8,500	+ 1.4

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Source: Department of Health;
LBB Staff: JO, HES, JWH, AMF, PA

MAR 20 2 42 PM '87
RECEIVED
SECRETARY OF SENATE

S. B. No.

240

By

Sapiano

AN ACT relating to required training courses and examinations for lay midwives.

Filed with the Secretary of the Senate

FEB

2 1987

Read and referred to Committee on

HEALTH AND HUMAN SERVICES

Reported favorably

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by:

unanimous consent

____ years, ____ nays

Read second time, _____, and ordered engrossed by:

unanimous consent
a viva voce vote

____ years, ____ nays

Caption ordered amended to conform to the body of the bill.

Senate and Constitutional 3 Day Rule suspended by a vote of ____ yeas, ____ nays.

Read third time, _____, and passed by ____ yeas, ____ nays.

SECRETARY OF THE SENATE

OTHER ACTION:

Engrossed

Sent to House

Engrossing Clerk

Received from the Senate

Read first time and referred to Committee on _____

Reported favorably amended, sent to Printer at _____

Printed and Distributed _____

Sent to Committee on Calendars _____

Read Second time (amended): passed to third reading (failed)

by (Non-Record Vote) Record Vote of ____ yeas, ____ nays ____ present not voting.

Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of ____ yeas, ____ nays ____ present not voting.

Read third time (amended); finally passed (failed) by a (Non-Record Vote) Record Vote of

____ yeas, ____ nays ____ present not voting.

Caption ordered amended to conform to body of bill.

Returned to Senate.

CHIEF CLERK OF THE HOUSE

Returned from House without amendment.

Returned from House with ____ amendments.

Concurred in House amendments by a viva voce vote ____ yeas, ____ nays.

_____ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

_____ Senate conferees instructed.

_____ Senate conferees appointed: _____, Chairman; _____, _____, _____, and _____

_____ House granted Senate request. House conferees appointed: _____, Chairman; _____, _____, _____.

_____ Conference Committee Report read and filed with the Secretary of the Senate.

_____ Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

_____ Conference Committee Report adopted on the part of the Senate by: _____

{ a viva voce vote
_____ yeas, _____ nays

OTHER ACTION:

_____ Recommitted to Conference Committee

_____ Conferees discharged.

_____ Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays